



VARIANCE HEARING AGENDA WEDNESDAY, DECEMBER 9, 2020 5:00 PM

Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona

Zoning Hearing Officer: Noah Mundt

**AGENDA ITEMS MAY BE DISCUSSED IN A DIFFERENT SEQUENCE.
ITEMS WILL NOT BE DISCUSSED PRIOR TO POSTED MEETING TIME.**

Due to the ongoing impacts of the [COVID-19 pandemic](#), which have prompted declarations of a public health emergency at the local, state, and federal levels, **members of the public will either be able to attend the Variance Hearing in person or participate remotely.**

The number of people allowed in the Council Chambers will be limited to ensure physical distancing as required by the Governor's Stay Healthy, Return Smarter, Return Stronger Executive Order (E.O. 2020-36) and as recommended by both the Centers for Disease Control and the Arizona Department of Health Services. Admittance to the Council Chambers will be on a first come, first served basis. Anyone who arrives after the Council Chambers is at capacity will be able to participate in the public meeting in the lobby or elsewhere via one of the various remote options. Members of the public attending the meeting in person will be required to wear a face covering as mandated by Maricopa County pursuant to its order dated June 19, 2020.

For any members of the public who decide to participate in the public meeting in the lobby, a staff member will ask whether anyone wishes to address the Zoning Hearing Officer prior to the Public Hearing agenda item. Those members of the public in the lobby wishing to address the Zoning Hearing Officer, if any, will then be escorted into the Council Chambers one by one and will be given the opportunity to address the Zoning Hearing Officer.

Please be aware that these measures are in place to limit the need for members of the public to participate in a large public gathering, while ensuring that the discussions, deliberations, and actions taken in public meetings in the Town of Gilbert are transparent and conducted openly in compliance with Arizona law.

For those who do not wish to attend in person, the public will also be able to fully participate in public meetings remotely through various technological means, as permitted under Arizona law. Additionally, items on agenda may be shortened, continued to a future public meeting, or taken out of order. Moreover, participants will be allotted a limited amount of time to speak at public meetings (the exact amount of time will be determined at the meeting by the Chair depending on the number of participants, as permitted by Town Code and state law).

The Town has made a number of resources available that would allow the public to address public bodies remotely during public meetings. Any member of the public who wishes to address the Zoning Hearing Officer can choose any of the following options.

Email

Members of the public who wish to address the Zoning Hearing Officer via email will need to send their comments to PlanningCommissionMeeting@gilbertaz.gov **no later than 5 p.m. the day before the Variance Hearing**. All emails received by this deadline will be distributed to the Zoning Hearing Officer for review and consideration (and not read aloud at the meeting). Emails sent after this 5p.m. deadline will not be distributed to the Zoning Hearing Officer or read aloud at the meeting. In the email, please identify your name, city/town of residence, and identify the particular Public Hearing item that your comments concern.

Online Comment Card

By 12 p.m. the day of the Variance Hearing, submit an online [public comment card](#) and indicate whether you are for or against the public hearing item. Online comment cards not submitted by the deadline will not be read at the meeting.

Listening Via Conference Line/Addressing the Zoning Hearing Officer Telephonically

A conference line will be available in order to listen to the Variance Hearing if you are not able to view the meeting via WebEx. The conference line number and access code for this meeting are:

+1-415-655-0001 US Toll

Access Code: 141 730 6920

WebEx Online Meeting Platform

Members of the public, applicants, and Town staff will also have the ability to participate in the Variance Hearing via WebEx in order to give presentations during the Public Hearing section of the meeting.

If you would like to address the Planning Commission via the WebEx platform, you must register for the public meeting by 12 p.m. the day of the meeting.

The WebEx registration link is: [Click to register](#)

Preregistration allows Town staff to have your information ahead of time and ensure that you are called on at the appropriate time.

If you have any issues accessing the WebEx platform, the link to WebEx technical support is below.

- [WebEx Technical Support](#) (1-866-229-3239)

BACKUP ONLY if WebEx Becomes Unavailable

The following Microsoft Teams link below will **ONLY** be utilized if the above-mentioned WebEx link and toll-free number become unavailable or if issues occur within the WebEx platform. This link will be operational within 15 minutes of WebEx becoming unavailable. We encourage all residents who wish to participate in the Variance Hearing to pre-register for both platforms.

The Microsoft Teams link is: [BACKUP LINK ONLY if WebEx Become Unavailable](#)

If you have any issues joining the Microsoft Teams platform, the link to Microsoft technical support is below.

- [Joining Microsoft Teams](#)

TIME	AGENDA ITEM
5:00 P.M.	CALL TO ORDER VARIANCE HEARING
	PUBLIC HEARING During the Public Hearing, anyone wishing to comment in support of or in opposition to a Public Hearing item may do so. Once the hearing is closed, there will be no further public comment unless requested by the Zoning Hearing Officer
	1. V20-03 THE MURPHY ON THE TRACKS: Request for a deviation from the strict application of the Land Development Code requirement set forth in Chapter 1 Zoning Regulations, Division 2 Land Use Regulations, Article 2.3 Commercial Districts, Section 2.304 Set Development Regulations to allow a 3' screen wall in the front Street Frontage Landscape Area and Chapter 1 Zoning Regulations, Division 4 General Regulations, Article 4.2 Off-Street Parking and Loading Regulations, Section 4.2012 Screening, Landscaping and Lighting to increase the number of consecutive parking stalls without a landscape planter to twelve (12). The subject real property is located at 904 West Guadalupe Road and is zoned Community Commercial (CC) with a Planned Area Development (PAD) overlay. Sydney Bethel (480) 503-6721.
	2. V20-02 3XB LLC: Request for a deviation from the strict application of the Land Development Code requirement set forth in Chapter 1 Zoning Regulations, Article 2.6 Employment Districts, Section 2.604 Site Development Regulations to reduce the side building setback adjacent to a residential zoning district from 75 feet to 48 feet 8 inches and to reduce the side perimeter landscape area adjacent to a residential zoning district from 25 feet to 8 feet 9 inches within a fully screened outdoor service area. The subject property is located at 1312 N. Marvin Court and zoned Light Industrial with a Planned Area Development (PAD) Overlay. Keith Newman (480) 503-6812. Continue to January 13, 2021.
	ADJOURN

Persons needing any type of special accommodation are asked to notify the Town Clerk's Office at (480) 503-6871 at least 72 hours prior to the meeting.

I, _____, certify that I posted this agenda/notice at the following location:
Gilbert Municipal Center (50 E. Civic Center Drive)

On _____, 2020